

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

PRESENT: Parella, Herreshoff, Calouro, Stuart, and Sweeney

ALSO PRESENT: Antonio A. Teixeira, Town Administrator
Andrew M. Teitz, Esq., Assistant Solicitor
A. Archie Martins, Town Sergeant

The Council met in regular session on Wednesday evening, January 29, 2014 in the Town Hall, Council Chambers, beginning at 7:02 o'clock PM, Council Chairman Parella presiding:

PRESENTATIONS

M. Candace Pansa, Executive Director, Bristol Housing Authority - Presentation of PILOT Check

Ms. Pansa appeared before the Council and presented a facsimile of the annual check as payment in lieu of taxes (PILOT). Ms. Pansa noted that this check was for \$44,139 and that this represents \$15,000 less than the PILOT amount since the Council allowed her to apply this amount to the sidewalk project at Benjamin Church Manor. Ms. Pansa also thanked the Town for the services it provides to the Bristol Housing Authority.

Christine Crocker, Executive Director, RI Police Accreditation Commission

It was noted for the record that Ms. Crocker will be present on February 12, 2014.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Stuart - Voted
unanimously to approve the Consent
Agenda as prepared and presented.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - May 15, 2013 (final version)

Herreshoff/Sweeney - Voted
unanimously to approve these
minutes as prepared and presented.

2. Town Council Meeting - January 8, 2014

Herreshoff/Sweeney - Voted
unanimously to approve these
minutes as prepared and presented.

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3. Town Council Special Meeting - January 9, 2014 (action items only)

Herreshoff/Sweeney - Voted
unanimously to approve these
minutes as prepared and presented.

B. PUBLIC HEARINGS

C. ORDINANCES

D. LICENSING BOARD - NEW PETITIONS

1. April Correia, d/b/a Sweet Addiction, 233 Waseca Avenue, Barrington - request for Hawkers and Peddlers License, **continued from January 8, 2014**

- a. Backup material (January 23, 2013) re previous licensee Gina Perry, d/b/a The Sweet Shoppe, 233 Waseca Drive

LATE ITEM

- b. April Correia re withdrawal of petition

Herreshoff/Calouro - Voted
unanimously to receive and place
this matter on file.

2. Charles D. Frizado, Jr., d/b/a Wing-N-It, 549 Metacom Avenue - request for Dancing and Entertainment License

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police (approve with conditions)

Herreshoff/Sweeney - Voted
unanimously to continue this matter
until February 12 and to anticipate
a further report at that time.

Prior to the vote taken, Council Chairman Parella noted correspondence she received concerning the building's fire alarm and read the correspondence aloud.

Fire Chief Martin noted his concern that the business may be intending to operate as a night club and that the regulations were different for night clubs versus restaurants. He added that the fire alarm that appears to

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be in place is suitable only for a restaurant with patrons dining at tables.

Councilman Stuart asked the petitioner to clarify the tenor of his business with the petitioner explaining that he operates a restaurant.

Fire Chief Martin reported that the ratio of sales of food versus drinks dictates whether a business is a night club or a restaurant.

The applicant reported that he plans to have no "cover charge" and that he intends for his patrons to purchase food.

Councilman Herreshoff expressed concern that the Council should have documentation from the Fire Chief prior to the approval of the dancing and entertainment license. He suggested that the applicant should work with the Chief to make all needed determinations and that both should return to the Council at its meeting to be held on February 12 and to provide a report of the findings at that time.

A discussion ensued as to whether or not the establishment is a restaurant or a night club with Fire Chief Martin explaining that the building now conforms to the criteria allowed for restaurants but that he was concerned that the business may morph into a night club since entertainment is advertised.

Fire Chief Martin noted that a restaurant does not need fire-suppression sprinklers and that a night club needs fire-suppression sprinklers. He also explained other requirements.

Council Chairman Parella asked to know if these rules apply to other establishments with Fire Chief Martin reporting that Finn's and Aidan's have sprinklers.

Councilman Stuart asked to know if the law has changed since the dancing and entertainment license was granted to the Backroad Grille (the former occupant of the subject premises).

Assistant Solicitor Teitz noted that the floor plan submitted did not include the number of seats and location of these and also the location of the tables. He suggested that the petitioner may wish to provide a more-detailed floor plan.

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Councilman Herreshoff suggested that the applicant should confer with the Town Solicitor and return with a better floor plan.

Councilman Stuart agreed with Councilman Herreshoff and stated that he believes additional information is needed. He also stated that he likes to help businesses and does not wish to delay unnecessarily.

Council Chairman Parella agreed with Councilman Herreshoff and Councilman Stuart and stated that the restrictions must be clearly defined.

Councilman Calouro agreed that clarity was needed.

It was agreed that Assistant Solicitor Teitz and Fire Chief Martin would speak to Mr. Frizado.

3. James Aubin, d/b/a Phantom Fireworks, 1282 Hope Street - Request for Holiday Sales License

LATE ITEM a. Recommendation - Town Administrator and Chief of Police (approve with conditions)

Council Chairman Parella asked the petitioner if he intends to operate as in the past with the petitioner responding that he plans to operate around Memorial Day and also eight days before the 4th of July.

Councilman Stuart expressed concern that fireworks would be sold nearby gasoline storage.

Stuart/Sweeney - Voted to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies. Voting in favor of the motion were Councilman Herreshoff, Councilman Calouro, Councilman Stuart and Councilman Sweeney. Council Chairman Parella abstained from the vote.

After the vote taken, Council Chairman Parella stated that she abstained from the vote since she does not believe that fireworks should be sold.

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E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

1. Rev. Henry P. Zinno, Jr., Pastor, Our Lady of Mount Carmel Church, 141 State Street - request use of Town Common for Church Feast, July 7-14, 2014

- a. Recommendation - Town Administrator and Director of Parks and Recreation

LATE ITEM

- b. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted unanimously to grant this petition per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

2. Jock Hayes, Bristol Warren Education Foundation (BWEF) Board Chairman - request for sponsorship of 6th annual "Bodacious Bee" event, March 8, 2014

Stuart/Calouro - Voted unanimously to appropriate \$800 from the Town Council Contingency account for a Silver Team Sponsorship.

Prior to the vote taken, Mr. Hayes (35 Acacia Road) and Joseph Ciullo (6 Jane Lane) representing the Bristol Warren Education Foundation addressed the Council. Mr. Ciullo outlined the BWEF program.

Mr. Hayes noted that tickets for the annual event, which will be held this year at Roger Williams University, cost \$50 each and that the tickets normally sell-out.

G. APPOINTMENTS

1. Public Service Appointments (January)

- a. Harbormaster

1. Gregg M. Marsili, 14 Westwood Road - interest/reappointment

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- a. Recommendation - Town Administrator
 - b. Recommendation - Harbor Commission Chairman
2. Matthew J. Calouro, 118 Fales Road
- interest/appointment

Councilman Herreshoff nominated Gregg Marsili for reappointment.

There were no counter-nominations.

Herreshoff/Sweeney - Voted to close nominations and to instruct the Clerk to cast one ballot in favor of Harbormaster Marsili with term to expire in January 2015. Voting in favor of this motion were Council Chairman Parella, Councilman Herreshoff, Councilman Stuart and Councilman Sweeney. Councilman Calouro was recused from the vote.

Prior to the vote taken, Councilman Calouro recused himself and excused himself from the Council table for agenda items G1a, G1b, and G1c.

- b. Part-time Assistant Harbormasters
 1. Recommendation - Harbormaster
 2. John Motta, 87 Perry Street -
interest/reappointment
 3. Thomas J. Guthlein, 15 Elmwood Drive - interest/reappointment
 4. Alan D. Leach, 25 Pawtucket Avenue
- interest/reappointment
 5. Charles A. Lombardo, 356 High Street - interest/reappointment
 6. Scott D. Marino, 131 Mulberry Road
- interest/reappointment

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7. Matthew J. Calouro, 118 Fales Road
- interest/reappointment
8. Adam Salinaro, 120 Fales Road -
interest/reappointment
9. Louis E. Frattarelli, Jr., 12
Vernon Avenue -
interest/appointment

Herreshoff/Sweeney - Voted to instruct the Clerk to cast one ballot each in favor of the slate of applicants as recommended by the Harbormaster. Voting in favor of this motion were Council Chairman Parella, Councilman Herreshoff, Councilman Stuart and Councilman Sweeney. Councilman Calouro was recused from the vote.

Prior to the vote taken, Councilman Herreshoff nominated the slate of Assistant Harbormasters as recommended by the Harbormaster.

There were no counter-nominations.

Councilman Stuart asked to know if all of the recommended candidates were certified; having attended the Academy as specified.

Harbormaster Marsili informed the Council that the Academy was defunct and that he (Harbormaster Marsili) was looking into alternate training.

Councilman Stuart suggested that the Academy provision might be removed from the Town Code if Academy training is no longer available.

Council Chairman Parella agreed with Councilman Stuart.

d. Tree Warden

1. Stephen Jackson, 105 Peck Avenue -
interest/appointment
2. Michael King, 19 Cedar Drive -
interest/reappointment

LATE ITEM

Councilman Stuart nominated Mr. King for reappointment.

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There were no counter-nominations.

Stuart/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. King for the ensuing term.

After the vote taken, Council Chairman Parella suggested that the Clerk might contact Mr. Jackson to determine his interest in serving on other committees.

- e. Bristol Housing Authority (term to expire in January 2019)
 - 1. Manuel N. Cotta, Jr., 32 San Miguel Drive West - interest/reappointment
 - a. Recommendation - Bristol Housing Authority Executive Director

Councilman Stuart nominated Mr. Cotta for reappointment.

There were no counter-nominations.

Stuart/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Cotta with term to expire in January 2019.

- f. Board of Tenants' Affairs (term to expire in January 2016)
 - 1. Marie P. Tucker, 1014 Hope Street, Apt. I5 - interest/reappointment

Councilman Herreshoff nominated Ms. Tucker for reappointment.

There were no counter-nominations.

Herreshoff/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Tucker with term to expire in January 2016.

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- g. Commissioners of the Cemeteries (term to expire in January 2019)

- 1. Howard P. Brelsford, 12 Sheffield Avenue - interest/reappointment

Councilman Stuart nominated Mr. Brelsford for reappointment.

There were no counter-nominations.

Stuart/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Brelsford with term to expire in January 2019.

- h. CRMC (Subcommittee) Alternate

- 1. Dr. Thomas G. Breslin, 7 Dana Road - interest/reappointment

Councilman Herreshoff nominated Dr. Breslin for reappointment.

There were no counter-nominations.

Herreshoff/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Dr. Breslin for the ensuing term.

- i. Waypoyset Preserve Trust Board of Directors (term to expire in January 2016)

- 1. Bryan Leffingwell, 4 Massasoit Avenue - interest/reappointment

Councilman Herreshoff nominated Mr. Leffingwell for reappointment.

There were no counter-nominations.

Herreshoff/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast on ballot in favor of Mr.

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Leffingwell with term to expire in
January 2016.

j. Special Constables/Fire Police

1. Recommendation - Fire Chief

Councilman Herreshoff nominated the slate of applicants as
recommended by Fire Chief Martin.

There were no counter-nominations.

Herreshoff/Calouro - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot each in favor of the
slate, as recommended, for the
ensuing term.

k. Special Constables, Private
Investigators, Matrons, and Retiree
Officers

1. Recommendation - Chief of Police

Councilman Herreshoff nominated the slate of Special
Constables, Private Investigators, Matrons, and Retiree
Officers as recommended by Police Chief Canario.

There were no counter-nominations.

Herreshoff/Calouro - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot each in favor of the
slate, as recommended, for the
ensuing term.

l. Christmas Festival Committee

1. Owen E. Trainor III, 198 High
Street - interest/appointment

Councilman Stuart nominated Mr. Trainor for appointment.

There were no counter-nominations.

Stuart/Sweeney - Voted unanimously
to close nominations and to
instruct the Clerk to cast one

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ballot in favor of Mr. Trainor for the ensuing term.

m. Fourth of July Committee

1. Patricia Squatrito, Corresponding Secretary, Fourth of July Committee re amended membership list

Councilman Herreshoff nominated the slate of nominees contained on the amended membership list for appointment.

There were no counter-nominations.

Herreshoff/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of the additional nominees as presented.

The Council also expressed gratitude for Mr. Eric Sponseller's past service.

H. OLD BUSINESS

1. Robert D. Morris, 93 Kickemuit Avenue - petition re legitimacy of waterfront citations, **continued from December 4, 2013**

Herreshoff/Calouro - Voted to continue this matter until March 26, 2014. Voting in favor of this motion were Council Chairman Parella, Councilman Herreshoff, Councilman Calouro, and Councilman Sweeney. Councilman Stuart was recused from the discussion and vote.

Prior to the vote taken, Councilman Stuart renewed his recusal concerning this matter.

Assistant Solicitor Teitz reported that there is a Municipal Court trial scheduled for March 19, 2014 to begin at 2:00 PM in the Burnside Memorial Building.

2. Councilman Sweeney re LED Lighting, **continued from January 8, 2014**

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Stuart/Sweeney - Voted unanimously to refer this matter to the Capital Budget workshop planned for Wednesday, February 5, 2014.

Prior to the vote taken, Councilman Sweeney introduced David Colsanti of Munro Distributing who explained that he had many years of experience with that company. He also explained that he works on lighting project on the East Coast and further explained that he recommends an energy-saving lighting project with a payback of 1.3 years.

Councilman Herreshoff noted that he was recently in Ft. Myers, Florida, and saw Thomas Edison's light bulb from 1883. He asked to know the savings which may be realized through Mr. Colsanti's proposal.

Mr. Colsanti noted that the cost to replace the bulbs in the Town's "decorative" street lighting fixtures is estimated to be \$57,000 and that National Grid will provide a rebate incentive of \$28-29,000 to replace the bulbs. He also noted that the operational cost saving will be \$10,000 per year.

Councilman Herreshoff asked to know how many lights will be replaced with Mr. Colsanti responded that there are 131 of these lights. He repeated that the payback was realized in 1.3 years. He projected the five (5) year savings at \$79,000.

A discussion ensued regarding the proposal and its anticipated savings. It was noted that this savings was outlined in a folder provided to Council members only.

Councilman Herreshoff asked to know if there was zero maintenance required with Mr. Colsanti responding that he could not answer that question.

Councilman Herreshoff stated that he could not believe that zero maintenance was required with Mr. Colsanti informing the Council that defective lights would be replaced by the manufacturer at no charge. He further qualified that this replacement would be for materials only and not for labor.

Councilman Stuart asked to know if the lights were guaranteed for five (5) years with Mr. Colsanti responding affirmatively.

Council Chairman Parella asked to know if the light emitted from the new light bulbs was equal to that of the existing ones with Mr. Colsanti responding that a sample light bulb

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has been installed at the intersection of Church and Thames Streets.

Councilman Calouro asked to know if the usage time was based upon the current usage with Mr. Colsanti explaining that these were identical.

Councilman Herreshoff asked to know about the three-element bulb with Mr. Colsanti explaining that defective or failed bulbs will be replaced by the manufacturer. He added that the "bottom line" of his proposal is that the Town will save money by installing the LED bulbs.

Council Chairman Parella asked to know if any of these same bulbs are now in service use elsewhere in Rhode Island with Mr. Colsanti responding that there were none in Rhode Island. He added that there are some in use in Boston, Massachusetts and that he will provide data if the Council wishes to receive same.

Council Chairman Parella asked to know if the replacement of the bulbs will void any existing warranty on the fixtures with Mr. Colsanti responding that changing the bulbs will not void the fixtures' warranty.

Councilman Calouro asked to know if the previously discussed rebate incentive has a deadline with Mr. Colsanti explaining that he believes that the LED rebates may be stable for some time.

Councilman Calouro speculated that the cost of the LED bulbs will diminish dramatically over time and suggested that the Town may wait for the bulb price to drop prior to changing the bulbs.

Mr. Colsanti explained that there is a cost of operation to consider if the Council wishes to wait for the bulb price to drop.

A discussion ensued regarding incentive rebates.

Council Chairman Parella noted that she does not believe that the bulbs will ever be free.

Recreation Director Burke reported that he installed LED lighting at the Town Beach and that the cost of operation reduced by 50% and that he is "thrilled" by this. He added that he intends to install similar lighting at the Quinta-Gamelin Community Center.

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Shaun Allen of Super-Green Solutions, an energy company, provided a demonstration of a certain type of LED lantern. He explained that these lanterns could replace the existing lanterns on top of the existing lantern posts. He added that he is working with 30 of the 39 cities and towns in Rhode Island.

Councilman Herreshoff asked to know if Mr. Allen intends to make a proposal with Mr. Allen stating that he would review the needs.

Councilman Stuart thanked Mr. Allen for his presentation.

Council Chairman Parella suggested that this matter would be best decided during the budget process.

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Luis Rodriguez, P.E., Chief, Engineering Management Branch, Federal Emergency Management Agency re final flood hazard determinations

Calouro/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Director of Community Development Williamson noted that there will be a formal adoption of these maps during the month of June and that the Council will also be asked to adopt a companion ordinance. She added that FEMA provided a model ordinance and that this will be reviewed by the Town Solicitor. She also added that the government regulations typically stipulate that the model ordinance would have to be adopted verbatim.

Councilman Stuart asked to know if the ordinance would be "tailored" to suit the Town of Bristol with Director of Community Development Williamson responding that this would be the case.

Councilman Herreshoff stated that he heard a rumor that the maps were "radically modified."

Director of Community Development Williamson explained her knowledge of the modifications to the subject maps.

Councilman Herreshoff asked to know if the maps were updated according to the available flood data with Director of

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Community Development Williamson responding that this is the case.

Councilman Calouro asked to know how someone might be able to examine the new maps with Director of Community Development Williamson explaining that these are available for inspection in the Community Development Office at 9 Court Street.

2. Director of Community Development Williamson re Application for Tax Stabilization - Riley Kitchen and Bath, 369 Metacom Avenue

Herreshoff/Calouro - Voted unanimously to refer this matter to Director of Community Development Williamson, Tax Assessor Belair, and Town Administrator Teixeira and to continue this matter until the meeting of February 12, 2014.

Prior to the vote taken, Director of Community Development Williamson reported that this is a new business, revitalizing an existing property. She added that three more businesses will potentially come forward seeking tax stabilization.

Council Chairman Parella noted that no report is provided.

Councilman Stuart noted that he believes that these should be provided first to the Town Council and expressed concern that there were potentially three additional applicants.

Michael Riley, owner of the subject business, appeared before the Council.

Council Chairman Parella asked to know if the business was open with Mr. Riley responding that this was open for several days.

Director of Community Development Williamson informed the Council that this was the first applicant under the new ordinance and that there would be a "learning curve." She noted that the values must be reviewed.

Chairman Parella suggested that the matter would be best addressed by referring same to Director of Community Development Williamson, Tax Assessor Belair and Town Administrator Teixeira so that they may review same as it pertains to the ordinance prior to making a recommendation.

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Councilman Stuart asked to know the number of employees at the business with Mr. Riley responding two or three.

Councilman Stuart asked to know if the Council would have to change the number of allowable projects to allow greater than ten (10).

Assistant Solicitor Teitz responded that this would require an amendment to the ordinance.

3. Town Administrator Teixeira re lease revenue
- Byfield and Reynolds Schools

Stuart/Calouro - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Town Administrator Teixeira noted that the matter was placed on the Council docket as a "white paper" as previously requested.

Councilman Calouro noted that the uses appear to be operating successfully.

Councilman Herreshoff asked to know if tenants pay separately for utilities with Town Administrator Teixeira noting that the rental fee is all-inclusive.

Councilman Herreshoff stated that he would like to review the expense data.

Town Administrator Teixeira agreed to provide expense data to Councilman Herreshoff.

Councilman Sweeney asked to know if there was a long-range plan for maintenance of the buildings with Town Administrator Teixeira explaining that this has been discussed administratively and that the administration must "work through" the details of same.

4. Town Treasurer Goucher re Poppasquash Road
Water Main Project - Phase II funding

Calouro/Sweeney - Voted unanimously to refer this matter to the special meeting to be held on February 5, 2014 and to instruct the Clerk to advertise for a public hearing pursuant to Town Charter Section

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410 for an amount not to exceed
\$300,000.

Prior to the vote taken, Town Treasurer Goucher noted that she was instructed to locate a source of funding and that she finds that the only potential sources available are the current fund balance or a budget item in the Budget for 2014-2015.

Councilman Herreshoff stated that the Town's need to pay for a portion of this work was disappointing. He noted that the Water Authority is responsible for the larger portion of the overall funding.

It was noted that the only agenda item at the present time was whether or not to consider advertising for a public hearing since the Council may not appropriate an amount exceeding \$25,000 from fund balance absent a public hearing.

The Clerk recommended that he be authorized to advertise the public hearing to provide the Council the option of considering using the fund balance. He noted that if the Council chooses not to use fund balance, the public hearing could be cancelled.

5. Councilman Stuart - request for State Traffic Commission review re school zone signs and flashing lights at Rockwell School

Sweeney/Calouro - Voted unanimously to refer this matter to the Town Administrator and Chief of Police so that they may consult with the State Traffic Commission.

Prior to the vote taken, Councilman Stuart reported his findings that many motorists do not observe the lowered speed limit in this zone.

J. BILLS & EXPENDITURES

1. Town Treasurer Goucher re transfer of funds from Sidewalk Capital Fund to General Fund (Bristol Housing Authority) - request for approval

Calouro/Herreshoff - Voted unanimously to approve the transfer of funds as proposed by the Town Treasurer.

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K. SPECIAL REPORTS

1. Allen Klepper re BCWA Monthly Report for February

Sweeney/Calouro - Voted unanimously to receive and place this matter on file.

L. TOWN SOLICITOR

1. Town Solicitor re request for Executive Session pursuant to RIGL § 42-46-5(a)(2) litigation - Clipper Way ROW and RIGL § 42-46-5(a)(5) lease of real property - Prudence Island Ferry Dock
 - a. Dominic Franco, Chairman, Harbor Commission re Clipper Way Public Right of Way (referred from January 8, 2014)

It is hereby noted for the record that action concerning this agenda item took place at the conclusion of the public agenda.

2. Leo J. Wold, Assistant Attorney General and Christie Hetherington, Special Assistant Attorney General to Luly Massaro, Clerk, Division of Public Utilities and Carriers re Docket No. D-13-105 (A & R Marine Corp., d/b/a Prudence Bay Island Transport)

Calouro/Stuart - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Assistant Solicitor Teitz explained that the information included in the Assistant Attorney Generals' correspondence is provided "FYI" and that no action is required at this time. He further explained that the PUC's position is that two (2) ferry operators may operate.

Councilman Herreshoff asked to know if this ruling has an impact on the docking of the ferries with Assistant Solicitor Teitz responding that this has no impact on the docking. He added that the ferry companies would have to have permission from the Town to use the Town-owned ferry landing(s).

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Councilman Herreshoff asked to know if the matter will be discussed in Executive Session with Assistant Solicitor Teitz responding that he will be able to provide more guidance in several weeks when more substantive information will be available to him.

Councilman Herreshoff asked to know if the Town has articulated a position with Assistant Solicitor Teitz responding that the Town has been consistently supportive of the ferry service and that it will entertain a lease with one or more ferry operators.

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

a. Thank you - Council Chairman Parella thanked Mike Davis and Mark Bucolo for their work broadcasting this evening's meeting.

b. Legislative Workshop - Council Chairman Parella asked the Clerk to arrange the periodic workshop with the local General Assembly delegation at a time convenient to the parties.

c. Town Charter/Applicable State Law - Council Chairman Parella suggested that the Town Solicitor may wish to examine the applicable law concerning the appointment of the Harbormaster. Council Chairman Parella expressed her opinion that the Harbormaster might be better appointed by the Town Administrator versus the Town Council. Town Solicitor Ursillo agreed to examine the applicable State Law and Town Ordinance. Council Chairman Parella also suggested that the Council may wish to reexamine the Charter change suggestions made during the last Charter revision which were not approved or did not reach the ballot for approval.

d. Wind Turbine - Council Chairman Parella noted that there is still no resolution on the wind turbine issue.

e. Parking in Paths - Council Chairman Parella noted that some motorists choose to block walking paths. She explained that this is particularly onerous when snow is on the ground. She suggested that the Council may wish to consider an ordinance to prevent this practice in the future.

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f. Bond Issue - Council Chairman Parella suggested that the Clerk should add an item to the upcoming Capital Project meeting agenda to consider possible future bond issues.

2. Herreshoff

a. Police Department - Councilman Herreshoff congratulated the Police Department on its recent illegal drug enforcement success. He added a message that "we don't want drugs in Bristol" and added that the recent police action was a clear statement of this message.

b. Flagpole an "Old Sore" - Councilman Herreshoff noted that he remains disappointed that the flagpole at the junction of Hope and Thames Streets remains crooked. He again requested that the flagpole should be repaired.

3. Calouro

a. John "Jack" Evans - Councilman Calouro noted the passing of recently retired Town employee John Evans. He explained that Mr. Evans was a no nonsense "openly tough" individual who was very good at his job as Code Compliance Coordinator.

b. JFC Progress - Councilman Calouro reported that the Bristol Warren Regional School District Joint Finance Committee is looking at averaging school population over a 13 year running period to help determine each Town's financial obligation. He added that this will be an advantage to the budget process and will not cost either Town any extra.

c. Charter Review - Councilman Calouro agreed with Council Chairman Parella that it may be a good idea to consider some Charter revisions.

d. Budget - Councilman Calouro suggested that this year's budget might contain funding for additional street signs.

4. Stuart

a. Police and Fire Departments - Councilman Stuart echoed the sentiments provided by

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Councilman Herreshoff concerning the recent drug busts. He also congratulated the Fire Department for its work on the annual food drive.

b. Thanks for Attending - Councilman Stuart thanked the individuals who attend the Council meetings in person and at home watching television.

5. Sweeney

a. American Cancer Society Spinning Event - Councilman Sweeney reported that the American Cancer Society will be the beneficiary of a three hour "spinning" event at Bristol Fitness on March 3. He encouraged participation.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Food Drive - Town Administrator Teixeira reported that the aforementioned food drive brought in 4,908 lbs. of food for the needy.

b. Lois Ferreira Retirement - Town Administrator Teixeira reported that thirty-year employee Lois A. Castigliero-Ferreira will retire on March 28. He invited the Council to wish Lois well on Friday at 3:00 PM when cake will be served.

c. Antonio Teixeira, Former Town Sergeant - Town Administrator Teixeira noted the passing of Antonio Teixeira who served as Town Sergeant during the 1980s and 1990s.

d. Louis P. Alfano, Jr. - Town Administrator Teixeira noted the passing of former Rhode Island Veterans Home Commandant Louis P. Alfano, Jr. Mr. Alfano was also recognized for his service to the State's veterans during his retirement years.

CITIZENS PUBLIC FORUM

Consent Agenda Items:

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

Approval of consent agenda="Motion to receive and place these items on file."

1. Board of Fire Engineers - January 6, 2014
2. Bristol Housing Authority - December 12, 2013
3. Harbor Commission - January 6, 2014 (amended)
4. Historic District Commission - December 5, 2013
5. Zoning Board of Review - December 2, 2013

(CA) BB. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor/Collector Belair - Recommended Abatements & Additions for January 2014

(CA) CC. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place these items on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement - January 24, 2014

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

Approval of consent agenda="Motion to adopt these Proclamations, Resolutions and Citations as prepared and presented."

1. Commendation - Portuguese Beneficial Association Dom Luiz Filipe, annual Installation of Officers

(CA) EE. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. Department of Water Pollution Control - Sewer Permits
2. Department of Public Works - Road Cut Permits

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

(CA) FF. UPCOMING APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments (February)

(CA) GG. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

Approval of consent agenda="Motion to receive and place these items on file."

1. Lynn M. Hawkins, Exeter Town Clerk - request for support of resolution re Newport Pell Bridge Safety
2. Amy Rose Weinreich, CMC, Charlestown Town Clerk - letter re request for referenda items
3. Amy Rose Weinreich, CMC, Charlestown Town Clerk re resolution in opposition to Chariho Act revision

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

Approval of consent agenda="Motion to receive and place these items on file."

1. Coastal Resources Management Council - Semi-Monthly Meeting, January 14, 2014
2. Town Administrator Teixeira to Van's Electric, Inc. re award of Bid #802 - Fire Alarm Installation for Quinta-Gamelin Community Center
3. Coastal Resources Management Council - January 2014 Calendar (amended 1-8-2014)
4. Warrant - Albert E. Proffitt, Board of Tax Assessment Review
5. Warrant - Gerald Mederos, Board of Tax Assessment Review (Alternate)
6. Warrant - Raymond Payson, Conservation Commission

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

7. Warrant - Lindsay Green - Conservation Commission
8. Warrant - Oryann Lima, Juvenile Hearing Board
9. Warrant - Amy Marino, Personnel Board
10. Warrant - Stephen Barker, Redevelopment Agency
11. Class F License - St. Elizabeth Church Holy Ghost Committee, 577 Wood Street, February 8, 2014
12. Town Administrator Teixeira to Vision Government Solutions, Inc. of Providence, RI re award of Bid #789 - Tax Administration Software
13. Town Administrator Teixeira ThyssenKrupp Elevator of Lincoln, RI re award of Bid #793 - Elevator Repair and Maintenance Contract for Town-owned Buildings
14. Coastal Resources Management Council re application for assent - Paul Agatiello, 1 Beach Road (deadline to request hearing, February 6, 2014)
15. Coastal Resources Management Council re application for assent - Heritage Foundation of RI, 101 Ferry Road (deadline to request hearing, February 9, 2014)
16. Recommendation - Department of Water Pollution Control re Victualling License - Orange Leaf Frozen Yogurt, 578 Metacom Avenue (granted January 8, 2014)
17. Coastal Resources Management Council re Notice of Public Hearing - application for assent; Deepwater Wind Block Island, LLC, February 4, 2014

(CA) II. DISTRIBUTIONS/NOTICE OF MEETINGS
(Office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

1. Bristol County Water Authority Public Hearing
- January 22, 2014
2. Bristol Warren Regional School District
Schedule of Meetings - Week of January 12,
2014
3. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - January 13,
2014
4. Bristol Warren Regional School Committee
Workshop - January 13, 2014
5. Recreation Board - January 14, 2014
6. Christmas Festival Committee - January 16,
2014
7. North and East Burial Ground Commission [sic]
- January 16, 2014
8. Planning Board Special Meeting - January 21,
2014
9. Animal Shelter Capital Project Committee -
January 21, 2014
10. Bristol Warren Regional School District
Schedule of Meetings - Week of January 19,
2014
11. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - January 20,
2014
12. Bristol County Water Authority Public Hearing
- January 22, 2014 (updated - second posting)
13. Bristol County Water Authority Board of
Directors - January 22, 2014
14. Bristol Warren Regional School District
Schedule of Meetings - Week of January 26,
2014
15. Bristol Warren Regional School Committee
Personnel/Contract Negotiations Subcommittee
- January 27, 2014

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

16. Bristol Warren Regional School Committee -
January 27, 2014

(CA) JJ. CLAIMS

Approval of consent agenda="Motion to refer these items to the Insurance Committee and at its discretion to the Interlocal Trust."

1. Lois A. Castigliengo-Ferreira, 53 Sowams Drive
re claim for damages

At the conclusion of the public agenda:

Calouro/Stuart - Voted to move into Executive Session pursuant to RIGL § 42-46-5(a)(2) litigation - Clipper Way Right of Way at 9:30 o'clock PM. Councilman Herreshoff was recused from the discussion and vote.

Calouro/Stuart - Voted unanimously to move into Executive Session pursuant to RIGL § 42-46-5(a)(5) lease of public property at 9:30 o'clock PM.

It is hereby noted for the record that Councilman Herreshoff participated only in the portion of the Executive Session relating to the lease of public property.

Calouro/Stuart - Voted unanimously to resume open session and seal the minutes of the Executive Session at 9:59 o'clock PM.

Calouro/Stuart - Voted to instruct the Clerk to send a letter to the Harbor Commission indicating that the Council has monitored the ongoing issues relating to the Clipper Way litigation and finds that the action to date and the proposed action looking forward has been and is appropriate.

There being no further business, upon a motion by Councilman Calouro, seconded by Councilman Stuart and voted

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 29, 2014

unanimously, the Chairman declared this meeting to be adjourned at 10:00 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk